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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/867,616 | 05/31/2001 | Graham Thomas | 006918.00020 | 7063 |

22907 7590 05/11/2006

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EXAMINER

SMITH, CREIGHTON H

| | |
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| ART UNIT | PAPER NUMBER |
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2614

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,616

Applicant(s)

THOMAS, GRAHAM

Examiner

Creighton H. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-48 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-48 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

In response to this Office action, applicant is requested to renumber claims 20-48 as 19-47 to reflect the fact that there is currently no claim 19 in the application.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 8- 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Xiang et al '469.

Xiang et al disclose a call conferencing system, col. 5, lines 30-50, that combines 2 separate networks – the PSTN (24) and the PLMN, col. 4, lines 15-20. Although not specifically disclosed, Xiang's speech path's of the 2 different networks are on different channels, one channel being in the PSTN and the other channel being on the PLMN network. The channels using the PLMN are on radio frequency and the channels on the landline network use PSTN voice channels. For a conference call to work using two different networks, the Conference Call Device will route the calls from one of the networks onto the other network so that all of the calls are compatible with one another and a conference call can take place. If the CDD did not do this, the conferees would be on different channels and not be able to converse with one another. Regarding claims 9-12, when a conference call takes place, conferees to the call are selected

ahead of time and notified of the conference number and time of the conference can call in with the password and be admitted to the call.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 14-18, 20-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xiang et al in view of Robert et al '343.


Robert et al disclose in col. 3, lines 49-67, a first communication system as the GSM system and a second communication as the Digital European Cordless Telecommunication (DECT) system. Robert et al also that their invention could be applied to other communications system, e.g., ISDN, FDMA, CDMA. Robert et al use an Interworking function (IWF) is provided to interconnect the MSC and the DECT by converting the protocol of the 2nd interface to the protocol of the 1st interface, col. 4, lines 38-42. To have provided Robert et al teaching of using two different radio frequency networks communicating to one another into Xiang et al system 2 different networks having a conference call would have been obvious to a person having ordinary skill in the art, because Robert et al disclose in col. 9, lines 10-15, that there are a number of functions that can be performed. A person with ordinary skill in this conference calling art would readily recognize the possibilities of using this disclosure, i.e., a number of functions, to be a conference calling function, and therefore adapt this teaching in Xiang et al. Pertaining to claim 6, in col. 13, lines 29-39, Robert et al

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disclose that the GSM and DECT systems are merely just examples of the two systems that Robert et al contemplate. Other systems could also be used here such as CT3, PHP, ADC, PDC, and TDMA. In claim 24, Robert et al claim that the systems could be any cellular system such as ADC, PDC, PSDN, PCS, NMT, AMPS, or TACS, etc. For applicant to claim that one of their systems is LPRF is deemed obvious in view of Robert et al disclosure in claim 24 of the cellular systems his invention could be used, and the ones Robert et al did not mention but alluded by "etc."

Any inquiry concerning this communication should be directed to Creighton H. Smith at telephone number 571/272-7546.

10 MAY '06



Creighton H Smith
Primary Examiner
Art Unit 2614